

Regular Meeting Minutes
Dorset Planning Commission

DRAFT

April 6, 2021

Members Present: Gay Squire, Scott Thompson, Natalie Quigley, Will Clarke, Kit Wallace, Scott Durgin, Dave Berard, Tyler Yandow (ZA).

Others Present: Chris Ponessi, Ryan Downey, Kim Beaty, Blair Potter, Christal Sierwersten, Casey Gecha, Kevin O'Toole, Jane Lobrutto, Kim Levins, T. Hopkins, Macbook Air, Henry Chandler, Joe Kwanko, Jim Rooney, Scott Bourhill, Andy Longacre, Roger Threllfall.

Gay Squire called the meeting to order at 7:01pm.

Conflicts of Interest: Gay Squire brought to the Board's attention that she ran into Ryan Downey at the Post Office and while asking him about the Quarry she inquired about the Marcia Lane site. She and Ryan visited the site to see the proposed area and better understand the slopes/grades of the driveway area. She noted that she would recuse herself if the Board thought this to be a conflict. Kit Wallace noted that it was a site visit, which is germane to the review. Scott Thompson noted that he ran into Mark Breen at rk Miles recently and Mark noted that he was the builder for the Marcia Lane project. No aspects of the permit were discussed, but Scott wanted the Board to be aware. **It was the consensus of the Board that neither of these interactions created a conflict of interest for Gay Squire or Scott Thompson.**

March 2, 2021 Minutes:

Scott Thompson moved and Natalie Quigley seconded to approve the meeting minutes with the addition of "it was the consensus of the Planning Commission to not pursue the river corridor language in the new bylaw proposal", motion passed 7-0.

BCRC Report:

None

ZA Report:

Tyler Yandow reviewed the activity of the last month. Items of note: Marbledge Lodge reconstruction was approved by the ZBA. BCRC Newsletter. Sign permit approved by the Selectboard for Mettowee Mint.

DRB Minutes:

Kit Wallace gave the update about the DRB meeting on March 15th meeting where the DRB approved a permit for the Dorset Church second story addition on the 1974 addition where the administrative offices are located. Kim Levins and Casey Gecha presented the drawings and elevations for the project and answered questions about the project. It was noted that the project will improve accessibility and expand meeting and program space for the Church. **Scott Durgin moved and Natalie Quigley seconded to approve the permit as presented, motion passed 7-0.**

Site Development Plan: Maple Hill Cemetery – Outdoor Worship Service at Maple Hill Ln:

Andy Longacre was present to represent the Dorset Church and the Maple Hill Cemetery. He noted that the two organizations had come to an agreement on using the lot south of the cemetery for possible outdoor worship services during portions of 2021 depending upon COVID restrictions. He noted that attendees would arrive by car and participate in the service by tuning into audio through the radio on their car. He estimated that up to 70 cars could be on the site, and that the space would be used once per week.

Gay Squire noted that the PC had received two letters of concern from neighboring property owners with regard to traffic safety. She also noted that she had visited the site and shared some of the same concerns. Kim Beaty lives on Maple Hill Lane and noted that the road is only 12' wide and that two cars cannot pass each other. She was concerned with regard to access for emergency vehicles during the service and when cars were coming in and leaving the service. She also noted that the line of site from Maple Hill onto Route 30 is not very good and that portions of the road are steep, she referenced a fuel oil truck that had rolled over recently. Discussion ensued about access, safety, the expected number of participants, and other possible locations to hold the events. Roger Threlfall noted that he lives on Maple Hill and shares the same concerns. Kim Beaty stated that she has offered the possible use of her property on Old Rake Lane as a possible alternative, because she supported the Church's effort, but didn't think 70 cars could possibly fit on Maple Hill Lane. She also consulted a local excavation contractor and he confirmed her concerns. Additional discussion ensued about other sites that might work for the services. Tyler Yandow noted that the application was for the Maple Hill Lane site. Gay Squire read through the applicable portions of bylaw section 3.8 addressing traffic access and safety.

It was the consensus of the board that the proposal did not conform with section 3.8. Will Clarke moved and Scott Thompson seconded to deny the permit as proposed, motion passed 7-0

Request for a Waiver: relief from 20% slope for driveway access – Marcia Lane:

Ryan Downey was present and representing the Faxon family who are planning to build a new home on Marcia Lane. He noted that the house permit had been previously approved and that the new Lidar contours show that a portion of the driveway crosses a 20% slope. The house site is not on 20% slopes. Discussion ensued about the site and the impacts from the driveway. Gay Squire read the waiver language from the bylaw.

Scott Durgin moved and Natalie Quigley seconded to approve the waiver as presented, motion carried 7-0.

Request for a Waiver: relief from 20% slope for driveway access – 2028 Lower Hollow Road:

Chris Ponessi was present and representing Nane Real Estate, the owners of the Netop Farm property on Lower Hollow Road. He noted that the family was hoping to keep the 600 acre property together, and build a family compound over future years. The current project involves constructing a single family house and the project needs a waiver due to impacts to 20% slopes from the driveway and a small portion of the house site.

Kit Wallace noted that the changes to the slopes at the house site made this application very different than the Marcia Lane application. She noted serious concerns with how it could be approved without setting a precedent. Chris Ponessi presented information related to the project and answered questions about the project from board members. He noted that the family was really settled on this particular house site. He also noted that the impacts to the 20% slopes in relation to the size of the 600 acre property were very small. Scott During asked about the % of impacts for this project vs. and total property. Chris Ponessi replied that the impacts were less than 1% of the total property.

Blair Potter was present and owns a house nearby. He expressed concerns with regard to the water flow for his pond and that his house was served by a spring on the Netop property. He wanted to know if the project would have any negative impacts on his property. Chris Ponessi noted that project area was a long distance from his property and that no impacts to water flows were anticipated. Dave Berard asked whether or not the project would need a stormwater permit. Chris Ponessi replied that the project would require a stormwater permit, but the family wanted to get through the local permitting process first. Discussion ensued about moving the driveway or looking at other housesits lower down on the property. Chris Ponessi noted that this house site was preferred and that 0.03% of the property would be impacted overall. Kit Wallace shared concerns about other applicable portions of the bylaw that would discourage this project. Scott Durgin noted that the project did only impact a small amount of what is a very large property, and perhaps there was a way to condition the project as to not set a precedent. Chris Ponessi noted that once the grading was done the portions that were cut and filled would be reseeded with natural vegetation to fit into the surroundings. In

addition the family has a detailed landscaping plan that assures slopes/grades are kept erosion free. Gay Squire asked if there was any way that the project could be monitored during the regrading to make sure erosion and stormwater issues did not occur. Chris Ponessi noted that he could incorporate additional site visits to accommodate this. Discussion ensued about possible conditions for the approved permit.

Will Clarke moved and Natalie Quigley seconded to approve the waiver with the following conditions:

- **During the construction, the engineer will make weekly trips to the site to assure that the site is erosion free and there are no issues with stormwater impacts to neighboring properties.**
- **The project impacts 0.03% of the 20% slopes on the 600 acre property.**
- **Graded areas to the northeast will be kept as natural vegetation (not a manicured lawn).**

Motion passed 7-0.

Scott Thompson moved and Scott Durgin seconded to adjourn the meeting at 9:31pm.

Respectfully Submitted, Rob Gaiotti Town Manager